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7 Attorneys for Plaintiffs  
Sarah Gagan, Claire Gagan and Halo's Heart, LLC  
8

9 UNITED STATES DISTRICT COURT  
10 CENTRAL DISTRICT OF CALIFORNIA  
11

12 SARAH GAGAN, an individual,  
CLAIRE GAGAN, an individual, and  
13 HALO'S HEART, LLC, a California  
Limited Liability Company,

14 Plaintiffs,

15 v.

16 MARC ANTOINE GAGNON, an  
17 individual; MEGGIE ROY, an individual,

18 Defendants.  
19  
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Case No. 5:22-cv-00680-SSS-SP  
Hon. Sunshine S. Sykes

**DECLARATION OF VINCENT R.  
WHITTAKER, ESQ. FILED IN  
SUPPORT OF MOTION FOR  
PRELIMINARY INJUNCTION**

**[Filed Concurrently with Motion for  
Preliminary Injunction and  
[Proposed] Order]**

Date: January 13, 2023

Time: 2:00 PM

Dept: 2

21  
22 **DECLARATION OF VINCENT R. WHITTAKER, ESQ.**

23 I, VINCENT R. WHITTAKER, am an attorney duly licensed to practice law  
24 in the state of California. I am a Shareholder of Buchalter, counsel of record for  
25 Plaintiff HALO'S HEART, LLC. I make this declaration of my own personal  
26 knowledge. If called upon to testify, I could and would testify competently to the  
27 truth of the matters stated herein.  
28

1           1.     This declaration is submitted in support of HALO'S HEART, LLC'S  
2 Motion for Preliminary Injunction in the above-entitled matter.

3           2.     In the first quarter of 2022, I spoke with counsel for Defendants, Brian  
4 Harnik, over the phone. On that phone call, Mr. Harnik reassured me that no  
5 alterations had been made to the Palm Desert Property.

6           3.     On May 5, 2022, I emailed Mr. Harnik's office and stated "Brian  
7 [Harnik] represented to me that no alterations have been made to the property. I  
8 would like an agreement for a visual inspection (sometime in May) and that the  
9 inspection can be videotaped." A true and correct copy of that email is attached as  
10 Exhibit "B" to the Declaration of Skye L. Daley filed concurrently herewith.

11           I declare under penalty of perjury, under the laws of the State of California,  
12 that the foregoing is true and correct.

13  
14 Dated: November 21, 2022



15           Vincent R. Whittaker, Declarant.  
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